

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0209287 - PHO TICK TOCK		Site Address 399 N CAPITOL AV, SAN JOSE, CA 95133		Inspection Date 10/29/2025		Placard Color & Score YELLOW 62		
Program PR0302814 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO TICK TOCK CORP		Inspection Time 13:50 - 15:35			
Inspected By JENNIE PENALOZA		Inspection Type ROUTINE INSPECTION		Consent By TRANG				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						
K04	Proper eating, tasting, drinking, tobacco use			X				
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records	X						
K09	Proper cooling methods	X						
K10	Proper cooking time & temperatures					X		
K11	Proper reheating procedures for hot holding	X						
K12	Returned and reservice of food	X						
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized		X		X			N
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display						X	
K17	Compliance with Gulf Oyster Regulations						X	
K18	Compliance with variance/ROP/HACCP Plan						X	
K19	Consumer advisory for raw or undercooked foods						X	
K20	Licensed health care facilities/schools: prohibited foods not being offered						X	
K21	Hot and cold water available	X						
K22	Sewage and wastewater properly disposed	X						
K23	No rodents, insects, birds, or animals	X						

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties		
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food		
K27	Food separated and protected		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored	X	
K41	Plumbing approved, installed, in good repair; proper backflow devices	X	
K42	Garbage & refuse properly disposed; facilities maintained	X	
K43	Toilet facilities: properly constructed, supplied, cleaned		
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
K45	Floor, walls, ceilings: built, maintained, clean	X	
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Cooked chicken and cooked pork are measured between 115F - 118F inside separate containers stored on the counter. Per staff, food was cooked about 1 hour ago and will be reheated upon receiving orders. Shrimp rolls are measured at 69F inside the prep unit, per staff shrimp rolls were prepared about 5 mins ago.*

Follow-up By
11/03/2025

[CA] *PHFs shall be held at 41°F or below or at 135°F or above.*

[SA] *Beef and chicken were relocated in the hot holding unit.*

K14 - 8 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *1. Dish machine is dispensing 0.0 ppm chlorine during active ware washing. Staff checked chlorine and replaced empty bottle, 0.0 ppm chlorine obtained after.*

Follow-up By
11/03/2025

[CA] *Maintain chlorine in mechanical warewash machine at 50 PPM.*

[SA] *By end of inspection dish machine was dispensing approx. 200 ppm chlorine. Use 3 comp sink to manually sanitize wares using 100 ppm chlorine.*

2. Meat slicer has encrusted food residue around blade and nearby components.

[CA] *Meat slicer shall be washed, rinsed and sanitized every 4 hours or less after initial use.*

Disassemble meat slicer and thoroughly wash, rinse and sanitize every part.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: *Food safety certificate and food handler cards are not available; per PIC, they are unsure of where the folder is located.*

[CA] *Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.*

Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: *Employee is drinking without a lid in the food preparation area. Another employee is eating in the food preparation area during break.*

[CA] *No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.*

[SA] *Employee placed a lid on the cup.*

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: *Pot of chicken broth is stored on the floor under the refrigerated prep unit.*

[CA] *Food shall be stored at least 6 inches above the floor to prevent contamination.*

[COS] *Broth was relocated to stove.*

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

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Inspector Observations: *Encrusted grease observed on shelves above the hand sink. Food residue observed on exterior of equipment.*

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: *1. Observed unapproved equipment at front of facility. Per staff equipment is used to make sugarcane water but is no longer being used. No NSF certification observed.*

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: *1. 1 induction cooker on a table is being used to maintain beef broth hot creating vapor and grease on the wall behind. Induction cooker is not under the hood.*

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors. Discontinue using induction cooker for beef broth.

2. Fryer and wok are extended about 2 inches outside of hood.

[CA] Place equipment fully under hood to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

3. Grease accumulation observed on hood.

[CA] Clean hood and maintain clean.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Several wiping cloths are stored on counter tops with 0.0 ppm chlorine.*

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

[COS] Employee set up sanitizer bucket.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Ice bin plumbing is leaking in the front service area.*

[CA] Repair plumbing.

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: *Trash and boxes observed outside of the dumpster, dumpster lid is left open.*

[CA] Refuse containers shall be covered at all times when not in use.

Outside refuse enclosure shall be kept clean and free of debris.

Refuse containers shall be collected or cleaned frequently enough to minimize the development of objectionable odors or conditions that attract or harbor insects or rodents.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

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Inspector Observations: 1. Grease and food residue observed throughout facility on floors and walls.

[CA] Walls and/or floors in food preparation area shall be kept clean.

2. 1 wall panel is missing near the hand sink.

[CA] Provide missing panel.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
water	3 comp sink	123.00 Fahrenheit	
milk	beverage area	34.00 Fahrenheit	
shrimp roll	prep unit	69.00 Fahrenheit	per staff, shrimp roll was prepared about 5 minutes ago.
chlorine	dish machine	0.00 PPM	
raw beef	top well	35.00 Fahrenheit	cooked beef - 39F raw shrimp - 40F
Cooked fish	prep unit	40.00 Fahrenheit	
raw chicken	walk-in cooler	41.00 Fahrenheit	raw beef - 41F chicken broth - 41F
water	prep sink	120.00 Fahrenheit	
water	hand sink	100.00 Fahrenheit	
chicken broth	pot under prep unit	144.00 Fahrenheit	
beef broth	induction cooker	210.00 Fahrenheit	
Pork	container on counter	118.00 Fahrenheit	Container of chicken - 115F

Overall Comments:

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **11/12/2025**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control



Received By: Dao Tran
Manager
Signed On: October 29, 2025